

BILL NO. S-79-10-19

SPECIAL ORDINANCE NO. S-

192-79

AN ORDINANCE approving a contract between Gladieux Refinery, Inc. and the City of Fort Wayne by and through its Department of Public Safety for Fire protection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the contract, dated June 22, 1979, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety and Gladieux Refinery, Inc., for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to wit:

All buildings and improvements of Gladieux Refinery, Inc. located in an area:

67-0008-0007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast  $\frac{1}{4}$  of Section 8.

67-9990-4012 South 86, 100 square feet Northeast  $\frac{1}{4}$  Section 8 North of New Haven Avenue, South of Norfolk and Western RR lease ground Fort Union RR.

67-0008-0012-I South 13.78 chains of East 4.52 chains West 14.52 chains of fractional Northeast  $\frac{1}{4}$  Section 8. 60 acres.

67-0008-0075 East 410.2 of West 1454.4 feet Northeast  $\frac{1}{4}$  between RR and 24 and 30. Section 8.

67-0008-0005 East 5 acres of mid part fractional Northeast  $\frac{1}{4}$  South of canal and North of RR and except Southeast 2.94 and vacated road adjacent North of the North Section 8.

67-0008-0041 North 6.85 Acres of West 14.04 feet Northeast  $\frac{1}{4}$  South of road except Fort Wayne Union RR of Section 8.

67-0008-0017 1.32 Acres of Trl west 385 feet East of Union RR between Maumee Rd. and U.S. 24 and 30 North East  $\frac{1}{4}$  of Section 8.

SECTION 2. That the cost of Gladieux Refinery shall be the sum of \$3,186.18, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 48-6176.

SECTION 3. That said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian A. Schmidt  
Councilman

APPROVED AS TO  
FORM & LEGALITY

William N. Salin, City Attorney

Read the first time in full and on motion by C. Schmidt, seconded by

Hinga, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 10-23-79

Charles W. Westerman  
CITY CLERK

Read the third time in full and on motion by Hinga,

seconded by Tolson, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>0</u>	_____	<u>3</u>	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	<u>X</u>	_____
<u>MOSES</u>	_____	_____	_____	<u>X</u>	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	<u>X</u>	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 11-13-79

Charles W. Westerman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(~~ZONING MAP~~) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE

(~~RESOLUTION~~) No. S-192-79 on the 13th day of November, 1979.

ATTEST: (SEAL)

Charles W. Westerman  
CITY CLERK

James Stier  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th

day of November, 1979, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this 19th day of

at the hour of 4 o'clock

Robert Blumstrong  
MAYOR

Bill No. S-79-10-19

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance  
approving a contract between Gladieux Refinery, Inc. and the  
City of Fort Wayne by and through its Department of Public  
Safety for Fire Protection

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance DO PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WILLIAM T. HINGA - VICE CHAIRMAN

JAMES S. STIER

JOHN NUCKOLS

DONALD J. SCHMIDT

*William T. Hinga*  
*James S. Stier*  
*John Nuckols*  
*D. Schmidt*

11-13-79

CONTINUED IN

DATE \_\_\_\_\_ CHARLES W. WESTERMAN, CITY CLERK

## FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 22nd day of June, 1979, between the CITY OF FORT WAYNE, Indiana, acting by and through its Mayor and Board of Commissioners, Department of Public Safety, ("CITY") and GLADIEUX REFINERY, INC., a corporation having a place of business in Adams Township, Allen County, Indiana.

WHEREAS, GLADIEUX REFINERY is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of GLADIEUX REFINERY, INC. located in an area:

67-0008-0007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast  $\frac{1}{4}$  of Section 8.

67-9990-4012 South 86, 100 square feet Northeast  $\frac{1}{4}$  Section 8 North of New Haven Avenue, South of Norfolk and Western RR Tease ground Fort Union RR.

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67-0008-0017 1.32 Acres of Trl west 385 feet East of Union RR between Maumee Rd. and U.S. 24 and 30 North East  $\frac{1}{4}$  of Section 8.

The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon the assessed value of \$242,130 issued by the Adams Township Assessor's Office.

and, WHEREAS, GLADIEUX REFINERY desires to be assured that fire protection by CITY is available at the premises above-described

NOW, THEREFORE, the parties agree as follows:

1. From June 22, 1979 until June 21, 1980, upon the receipt of CITY'S Fire Department of a notification or signal that there is a fire on the premises above described, CITY shall cause the proper

fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

2. For firefighting services provided for herein GLADIEUX REFINERY shall pay to CITY the sum of One and Three Thousand One-Hundred Fifty-Nine Thousandths Dollars (\$1.3159) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements hereinabove identified as the premises. The improvement hereinabove identified having an assessed valuation of \$242,130, the sum owing under this contract is \$3,186.18. Said sum shall be payable upon execution of this contract.

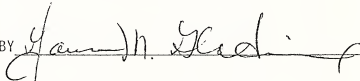
3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect GLADIEUX REFINERY buildings, equipment, and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and GLADIEUX REFINERY operations on the premises and to enforce the City Fire Prevention Code so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.

4. Notwithstanding the foregoing provision, this contract shall not become effective until it shall have been signed by the Mayor and Clerk of CITY, and the members of the Board of Commissioners, Department of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

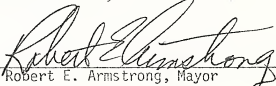
IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

GLADIEUX REFINERY, INC.

BY

  
CITY OF FORT WAYNE, INDIANA

BY

  
Robert E. Armstrong, Mayor

BOARD OF COMMISSIONERS  
DEPARTMENT OF PUBLIC SAFETY

BY W. Terry Coonan  
W. Terry Coonan, Chairman

BY William L. Kerr, Sr.  
William L. Kerr, Sr., Member

BY Solon Jennings  
Solon Jennings, Member

I hereby certify that the foregoing contract was ratified and  
approved by the Common Council of the City of Fort Wayne, Indiana,  
on November 13, 1979.

Charles W. Westerman  
Charles W. Westerman, Clerk

4680.

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

12-79-10-19.

TITLE OF ORDINANCE Outside the City Fire Contract

DEPARTMENT REQUESTING ORDINANCE Board of Public Safety

SYNOPSIS OF ORDINANCE This would allow the City of Fort Wayne to provide

fire protection for Gladieux Refinery, Inc.. They, in turn, will pay the

City \$3,186.18, which is used to purchase fire equipment.

EFFECT OF PASSAGE The Fort Wayne Fire Department will receive \$3,186.18.

EFFECT OF NON-PASSAGE The Fire Department will lose \$3,186.18.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_

DATE SUBMITTED: 10/16/79